

**Meeting of the Central Valley Flood Protection Board
June 20, 2008**

**Draft Staff Report
DWR Floodway Protection Section**

Item

Consider approval of Permit No. 18323 to abolish existing pumping plant and abandon existing pipeline at RM 125.8, and to construct a new pumping plant at RM 127.0, and place riprap on the slope of the left (east) bank levee of the Sacramento River in Sutter County.

Applicant

Meridian Farms Water Company

Location

The project is located north of Grimes and west of Meridian Road in Sutter County (see Attachment B).

Description

To abolish existing pumping plant and abandon existing pipeline at RM 125.8; and to construct a new pumping plant at RM 127.0 consisting of two 30-inch-diameter intake pipes supported by seven 10 by 10-inch-diameter H-beams, a fish screen, and a 36-inch-diameter pipe trenched through the levee; and place riprap on the slope of the left (east) bank levee of the Sacramento River.

Agency Comments and Endorsements:

- The U. S. Army Corps of Engineers endorsement has not been received but is anticipated to be received prior to the June 20, 2008 Board meeting.
- Reclamation District 70 has endorsed this application (Exhibit A).

Letter from Fee Property Owner

Board staff has received a letter from the fee property owner that requests that the Board not issue this permit until an agreement can be reached with Meridian Farms Water Company. Board staff have no technical concerns with the proposed project and therefore request approval of this permit (Attachment C).

CEQA Compliance:

The California Department of Fish and Game in cooperation with the U.S. Bureau of Reclamation, has directed the preparation of an Initial Study/Environmental Assessment (IS/EA) for the Meridian Farms Water Company (MFWC) in compliance with the California Environmental Quality Act and State CEQA Guidelines and the National Environmental Policy Act.

The IS/EA was prepared as a joint CEQA/NEPA document because it is a discretionary project that involves the use of federal funds. MFWC is a private water distribution company and cannot act as lead agency under CEQA. As a result, the California Department of Fish and Game (DFG) agreed to be the CEQA lead agency with the U.S. Bureau of Reclamation as the federal lead agency under NEPA.

Board staff, as a Responsible Agency, has reviewed the IS/EA and Mitigated Negative Declaration (SCN 2008022042) that describes the potential environmental impacts associated with the proposed project operated along the Sacramento River by the Meridian Farms Water Company.

DFG's Mitigated Negative Declaration found that although the proposed project could have significant environmental impacts there will be no significant impacts in this case because the MFWC has incorporated mandatory mitigation measures into the project plans to reduce the level of significance to less than significant after mitigation. These mitigation measures are detailed in the Mitigated Negative Declaration and address impacts to air quality, biological resources, hazards and hazardous materials, hydrology and water quality, noise.

Board staff concurs with these findings.

Section 8610.5 Compliance

1. Evidence that the Board admits into its record from any party, State or local public agency, or nongovernmental organization with expertise in flood or flood plain management:

The Board will make its decision based on the evidence in the permit application and attachments, this staff report, and any other evidence presented by any individual or group.

2. The best available science that related to the scientific issues presented by the executive officer, legal counsel, the Department or other parties that raise credible scientific issues.

The accepted industry standards for the work proposed under this permit as regulated by Title 23 have been applied to the review of this permit.

3. Effects of the decision on the entire State Plan of Flood Control:

This project has no effects on the State Plan of Flood Control.

4. Effects of reasonable projected future events, including, but not limited to, changes in hydrology, climate, and development within the applicable watershed:

None.

Staff Recommendation

Staff recommends that the Board adopt the CEQA findings and approve the permit and require Board staff to obtain a copy of a completed agreement from the fee property owner and Meridian Farms Water Company prior to issuance of this permit.

List of Attachments

- A. Permit
- B. Location maps and photos
- C. Letter from Fee Property Owner

DRAFT

STATE OF CALIFORNIA
THE RESOURCES AGENCY
CENTRAL VALLEY FLOOD PROTECTION BOARD

PERMIT NO. 18323 BD

This Permit is issued to:

Meridian Farms Water Company
1138 4th Street
Meridian, California 95957

To abolish existing pumping plant and abandon existing pipeline at RM 125.8; and to construct a new pumping plant at RM 127.0 consisting of two 30-inch-diameter intake pipes supported by seven 10-inch by 10-inch-diameter H-beams, a fish screen, and a 36-inch-diameter pipe trenched through the levee; and place riprap on the slope of the left (east) bank levee of the Sacramento River. The project is located north of Grimes and west of Meridian Road (Section 5, T14N, R1E, MDB&M, Reclamation District 70, Sacramento River, Sutter County).

NOTE: Special Conditions have been incorporated herein which may place limitations on and/or require modification of your proposed project described above.

(SEAL)

Dated: _____

Executive Officer

GENERAL CONDITIONS:

ONE: This permit is issued under the provisions of Sections 8700 – 8723 of the Water Code.

TWO: Only work described in the subject application is authorized hereby.

THREE: This permit does not grant a right to use or construct works on land owned by the Sacramento and San Joaquin Drainage District or on any other land.

FOUR: The approved work shall be accomplished under the direction and supervision of the State Department of Water Resources, and the permittee shall conform to all requirements of the Department and the Central Valley Flood Protection Board.

FIVE: Unless the work herein contemplated shall have been commenced within one year after issuance of this permit, the Board reserves the right to change any conditions in this permit as may be consistent with current flood control standards and policies of the Central Valley Flood Protection Board.

SIX: This permit shall remain in effect until revoked. In the event any conditions in this permit are not complied with, it may be revoked on 15 day's notice.

SEVEN: It is understood and agreed to by the permittee that the start of any work under this permit shall constitute an acceptance of the conditions in this permit and an agreement to perform work in accordance therewith.

EIGHT: This permit does not establish any precedent with respect to any other application received by the Central Valley Flood Protection Board.

NINE: The permittee shall, when required by law, secure the written order or consent from all other public agencies having jurisdiction.

TEN: The permittee is responsible for all personal liability and property damage which may arise out of failure on the permittee's part to perform the obligations under this permit. If any claim of liability is made against the State of California, or any departments thereof, the United States of America, a local district or other maintaining agencies and the officers, agents or employees thereof, the permittee shall defend and shall hold each of them harmless from each claim.

ELEVEN: The permittee shall exercise reasonable care to operate and maintain any work authorized herein to preclude injury to or damage to any works necessary to any plan of flood control adopted by the Board or the Legislature, or interfere with the successful execution, functioning or operation of any plan of flood control adopted by the Board or the Legislature.

TWELVE: Should any of the work not conform to the conditions of this permit, the permittee, upon order of the Central Valley Flood Protection Board, shall in the manner prescribed by the Board be responsible for the cost and expense to remove, alter, relocate, or reconstruct all or any part of the work herein approved.

SPECIAL CONDITIONS FOR PERMIT NO. 18323 BD

THIRTEEN: All work approved by this permit shall be in accordance with the submitted drawings and specifications except as modified by special permit conditions herein. No further work, other than that approved by this permit, shall be done in the area without prior approval of the Central Valley Flood Protection Board.

FOURTEEN: The Central Valley Flood Protection Board, the State of California and/or any department(s) thereof and Reclamation District No. 70 shall not be held liable for damage(s) to the herein permitted project(s) resulting from release(s) of water from resevoirs, flood fight, operation, maintenance, inspection, or emergency repair.

FIFTEEN: The permittee is responsible for all liability associated with construction, operation, and maintenance of the herein permitted project(s) and shall defend and hold harmless the Central Valley Flood Protection Board, the State of California and/or any department(s) thereof and Reclamation District No. 70 from any liability or claim(s) of liability associated therewith.

SIXTEEN: The permittee shall be responsible for repair of any damage(s) to the flood control project works due to construction, operation and/or maintenance of the herein permitted project(s).

SEVENTEEN: The permittee shall comply with all conditions set forth in the letter from the Reclamation District No. 70 (undated) which is attached to this permit as Exhibit A and the letter from the Department of the Army dated June XX, 2008, which is attached to this permit as Exhibit B, both which are incorporated by reference.

EIGHTEEN: The permittee shall contact the Department of Water Resources by telephone, (916) 574-1213, and submit the enclosed postcard to schedule a preconstruction conference. Failure to do so at least 10 working days prior to start of work may result in delay of the project(s).

NINETEEN: All cleared trees and brush shall be completely burned or removed from the flood control project works, and downed trees or brush shall not remain in/on the flood control project works during the flood season from November 1st to April 15th.

TWENTY: No excavation shall be made or remain in the levee section during the flood season from November 1st to April 15th.

TWENTY-ONE: Stockpiled material and/or equipment shall not remain in/on the flood control project works during the flood season from November 1st to April 15th.

TWENTY-TWO: Abandoned pipe(s) within the levee section shall be completely filled with concrete in accordance with Central Valley Flood Protection Board standards. A detailed plan for filling the abandoned pipe with concrete shall be submitted to and approved by the Central Valley Flood Protection Board prior to commencing work.

TWENTY-THREE: A temporary bench mark, set to a known datum, shall be placed at the project site during construction.

TWENTY-FOUR: The new pipe shall be placed in the center of an open trench 2 feet wider than the diameter of the pipe or 2 times the diameter, whichever is greater.

TWENTY-FIVE: Compaction tests by a certified soils laboratory will be required to verify compaction of backfill within the levee section or within 10 feet of the levee toe.

TWENTY-SIX: All fill material shall be imported impervious material with 20 percent or more passing the No. 200 sieve, a plasticity index of 8 or more, and a liquid limit of less than 50 and free of lumps or stones exceeding 3 inches in greatest dimension, vegetative matter, or other unsatisfactory material. Fill material shall be compacted in 4- to 6-inch layers to a minimum of 90 percent relative compaction as measured by ASTM Method D1557-91.

TWENTY-SEVEN: The new pipe shall be placed in an open cut with side slopes of 1 horizontal to 1 vertical or flatter.

TWENTY-EIGHT: The pipe shall be buried at least 12 inches below the levee slopes and 24 inches below the levee crown.

TWENTY-NINE: Pipe installed in the levee section and within 10 feet of the levee toes shall be new steel and at least three gauge. Steel pipe shall be corrosion-proofed externally with a coating of coal-tar enamel; asphalt-saturated felt wrap; cement mortar; or PVC or polyethylene tape wrapped to a thickness of 30 mils. Steel pipe shall be corrosion-proofed internally with a continuous lining of cement mortar or asphalt.

THIRTY: The invert of the new pipe through the levee section shall be above the design flood plane elevation of 57 feet, NGV Datum.

THIRTY-ONE: All pipe joints within the levee section shall be butt welded.

THIRTY-TWO: A positive-closure device that is readily accessible during periods of high water shall be installed on the waterward side of the levee.

THIRTY-THREE: Only impervious material shall be used for bedding or backfill within the levee section.

THIRTY-FOUR: In the event existing revetment on the levee slope is disturbed or displaced, it shall be restored to its original condition upon completion of the proposed project.

THIRTY-FIVE: Debris that may accumulate on the permitted encroachment(s) and related facilities shall be cleared off and disposed of outside the floodway after each period of high water.

THIRTY-SIX: All debris generated by this project shall be disposed of outside the floodway and off the levee section.

THIRTY-SEVEN: If the herein permitted project results in an adverse hydraulic impact, the permittee shall provide appropriate mitigation measures, to be approved in writing by the Central Valley Flood Protection Board, prior to implementation of mitigation measures.

THIRTY-EIGHT: The permittee may be required, at permittee's cost and expense, to remove or alter all or any part of the herein permitted project if removal or alteration is necessary as part of or in conjunction with any present or future flood control plan or project or if damaged by any cause. If the permittee does not comply, the Central Valley Flood Protection Board may remove or modify the herein permitted project at the permittee's expense.

THIRTY-NINE: The pipeline(s) shall be tested and confirmed free of leaks by X-ray, pressure tests, or other approved methods during construction or anytime after construction upon request by the Central Valley Flood Protection Board.

APPLICATION FOR A RECLAMATION BOARD ENCROACHMENT PERMIT

Application No. **-18323**

(For Office Use Only)

1. Description of proposed work:

Work is for the New Grimes Diversion/Pumping Plant: Constructing one new positive barrier fish screen diversion/pumping plant consisting of a screened slant pump system, fish screen, structural supports and operating platform, riprap placement, electrical and controls, and pump discharge piping and appurtenances. Pipe is 36-inch diameter welded steel pipe per AWWA C200. Work also includes removal/abandonment of existing Grimes river diversion.

2. Location: Sutter County, in Section 5
Township: T14N (N) (S), Range R1E (W), M. D. B. & M.

3. Meridian Farms Water Company of 1138 4th Street
Name of Applicant Address
Meridian CA 95957 (530) 696-2456
City State Zip Code Telephone Number
(530) 696-2551
Fax Number

4. Endorsement: (of Reclamation District)

We, the Trustees of Reclamation District 70
Name and District Number

approve this plan, subject to the following conditions:

☐ Conditions listed on back of this form

☒ Conditions Attached

☐ No Conditions

[Signature]
Trustee

12-5-07
Date

[Signature]
Trustee

12-5-07
Date

Gordon P. Kuhn 12-05-07

Gerald Frye 12/05/07

5. Names and addresses of adjacent property owners sharing a common boundary with the land upon which the contents of this application apply. If additional space is required, list names and addresses on back of the application form or an attached sheet.

McLaughlin, J.E. Rev. 06 Trust et. al. 676 King Ave., Yuba City, CA 95991
Name Address Zip Code

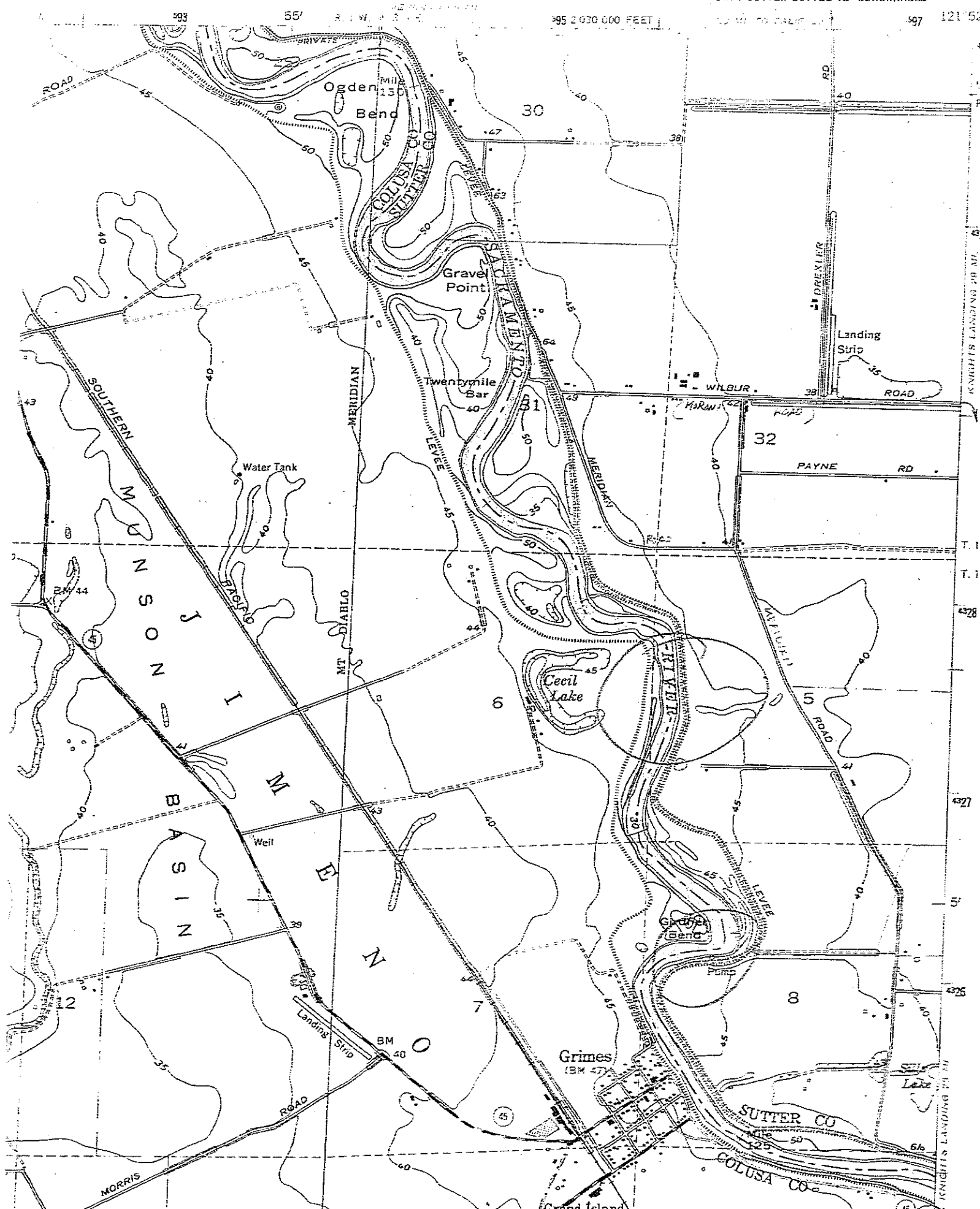
Herrod, William and Brenda P 91 Trust 2746 S. Meridian Rd., Meridian, CA 95957

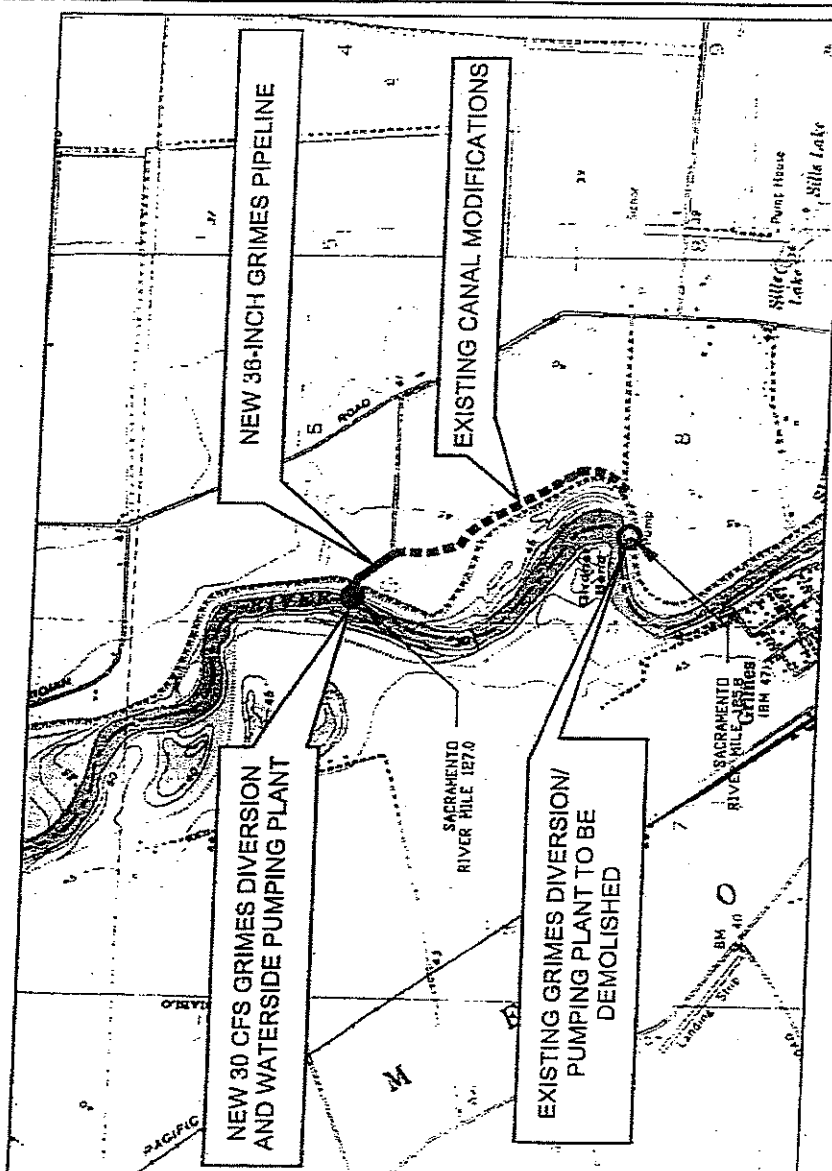
Andreotti, Arnold et al. P.O. Box 298, Colusa, CA 95932

Violet Miller Living Trust 2803 S. Meridian Rd, Meridian, CA 95957

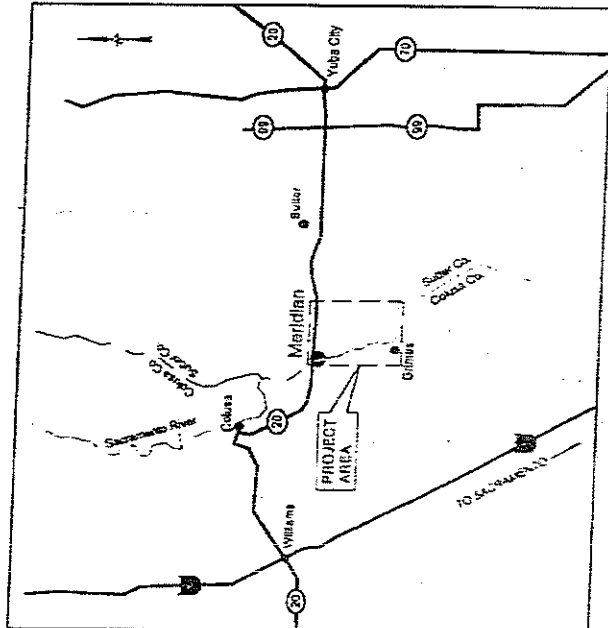
Reclamation District 70
Conditions for encroachment permit for Meridian Farms Water Co.
Grimes Diversion Pumping Plant
River mile 127.0
Levee mile approximately 10.55

1. The new installation shall be maintained in a manner so as not to interfere with Reclamation District No. 70 maintenance.
2. Reclamation District No. 70 shall not be held responsible for any damage to this facility in the act of there routine or emergency maintenance.
3. If access to this facility is to be on the levee roadway, a representative of Meridian Farms Water Co. shall contact District 70 for conditions of this access.
4. If possible, remove existing power pole from levee slope and reestablish the power pole at the landward toe at the demolition site. Levee Mile 11.68
5. All demolished facilities shall be removed from the Districts right of way.





VICINITY MAP
NTS

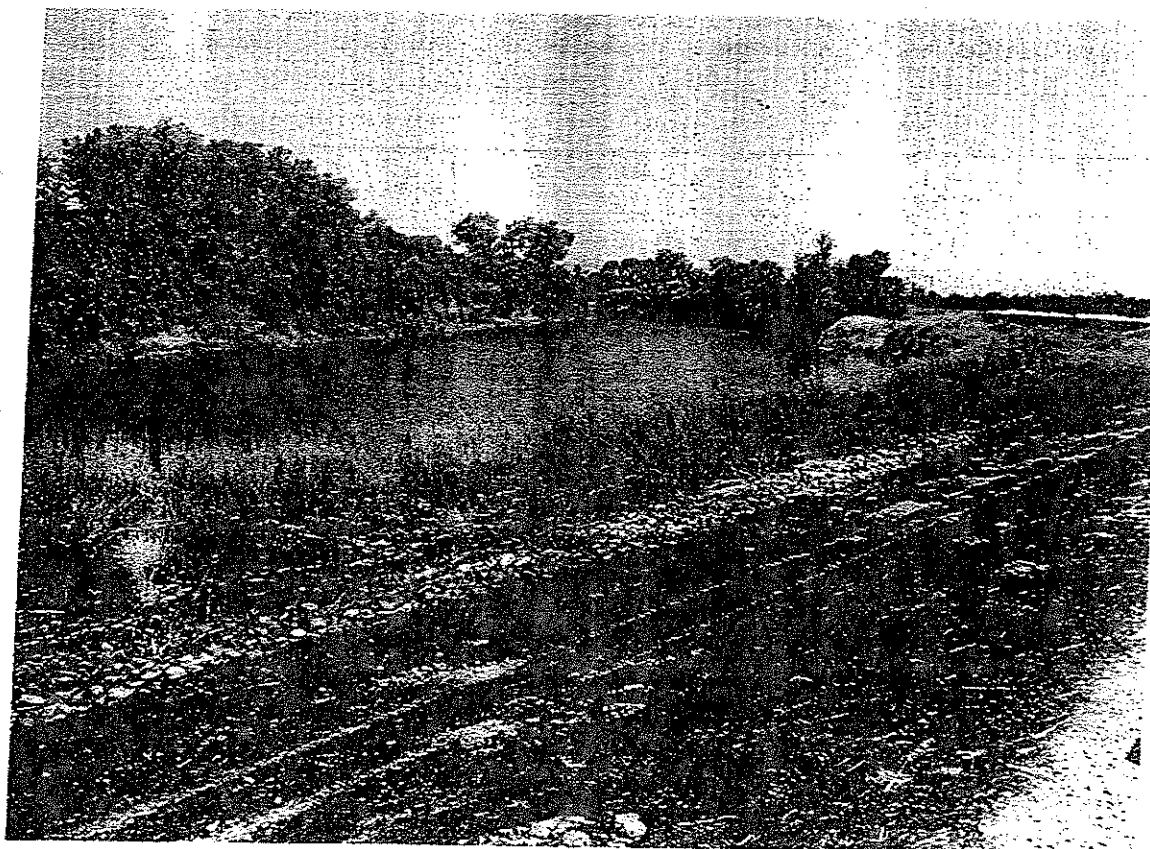


LOCATION MAP
NTS

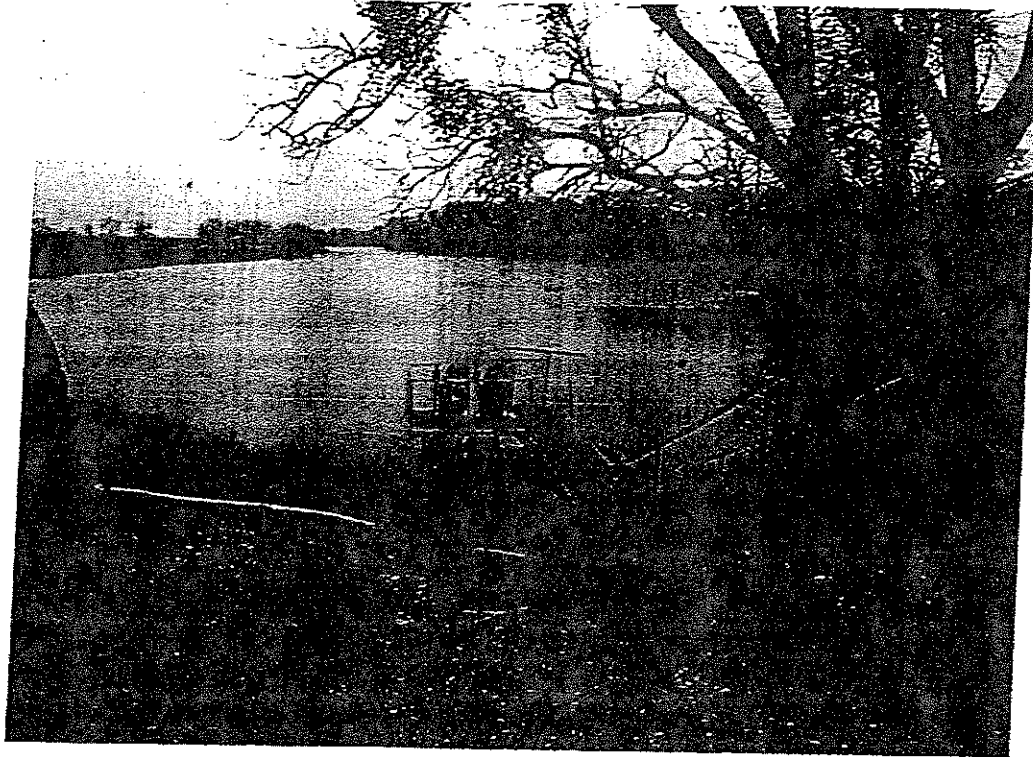
SCALE: HORIZ: NTS VERT: ...	DATE: 11/30/07	MERIDIAN FARMS WATER COMPANY FISH SCREEN PROJECT	GRIMES DIVERSION LOCATION AND VICINITY MAP FIGURE 1 of 4
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Exhibit E - Pictures

Picture of Location of New Grimes Diversion (view looking northwest across Sacramento River)



Picture of Existing Grimes Diversion to be demolished



Frank P. Natale, General Manager of;
J. McLaughlin Trust and DeFore Ranch
676 King Ave.,
Yuba City, CA 95991-2808
(925) 518-6562 cellular, (925) 827-2562 office, (925) 827-0785 fax

January 16, 2008

Mr. Michael Petersen
The Reclamation Board/Dept. Of Water Resources
3310 El Camino Ave., Room LL40
Sacramento, CA 95821-6340

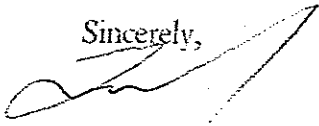
Re: *Application No. 18323*

Please be advised that the applicant merely approached us with a proposal to put a pumping station, and piping on our property.

We have no agreement with them, therefore we are not authorizing them to commence any projects or construction on our property.

If we come to an agreement we will inform you of such, until then do not issue any permits that relate to our properties.

Sincerely,

A handwritten signature in dark ink, appearing to be 'Frank Natale', written over a horizontal line.

Frank Natale, General Manager

CC: Public Works, Sutter County, 1130 Civic Center Blvd., Yuba City, CA 95993-3008
(530) 822-7450